

APPENDIX

A

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CRUMB & MUNDING, P.S.

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

KELLI GRAY, and all other similarly
situated,

Plaintiff,

v.

SUTTELL & ASSOCIATES, P.S.;
MIDLAND FUNDING, LLC; MARK
T. CASE, and JANE DOE CASE,
husband and wife, KAREN HAMMER
and JOHN DOE HAMMER

Defendants.

Case No.: CV-09-251-EFS

NOTICE OF 30(b)(6) DEPOSITION
OF DEFENDANT MIDLAND
FUNDING, LLC

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal
Rules of Civil Procedure, on **October 26, 2010**, beginning at **9:00 a.m. p.s.t.** and
continuing until completed at Bassford Remele, 33 South Sixth Street, Suite 3800,

NOTICE OF DEPOSITION
PURSUANT TO FRCP 30(b)(6) -1-

MICHAEL D. KINKLEY P.S.
4407 N. Division, Suite 914
Spokane Washington 99207
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1 Minneapolis, MN 55402-3707, Plaintiff through counsel will take the deposition of
2 the designated representative of Defendant Midland Funding, LLC. The deposition
3 will be recorded by audio visual and stenographic means. The video equipment
4 will be operated by Patrick J. Helwig, 628 Grand Ave., Apt. 101, St. Paul, MN
5 55105.
6

7 The designated representative of Defendant Midland Funding, LLC should
8 be prepared to testify regarding:
9

- 10 1. The Gray account, its history and origin;
- 11 2. "Portfolio 715" and/or "Port ID 715" (*See* Midland Production, Bates #
12 10);
13
- 14 3. The net worth of Midland Funding, LLC;
- 15 4. The relationship between Midland Funding, LLC, Midland Credit
16 Management, and Suttell & Hammer, P.S. (formerly Suttell & Associates,
17 P.S., collectively "Suttell");
18
- 19 5. How the statute of limitations on accounts owned by Midland Funding,
20 LLC are determined, the procedures used to identify and/or screen cases
21 beyond the statute of limitations to sue for relief, and how the statute of
22 limitations on the Kelli Gray account was determined;
23
- 24 6. The procedures of Midland Funding, LLC to ensure compliance with the
25 Fair Debt Collection Practices Act (15 USC § 1692), the Washington

NOTICE OF DEPOSITION
PURSUANT TO FRCP 30(b)(6) -2-

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1 Consumer Protection Act (RCW 19.86 *et seq.*), the Washington Collection
2 Agency Act (RCW 19.16 *et. seq.*);

- 3
4 7. The details and contents of all personnel files for the individuals that
5 worked on Plaintiffs' alleged collection account;
- 6 8. Software used by Midland Funding, LLC to manage its accounts,
7 including but not limited to software used to transfer accounts or rights to
8 accounts and communicate with any other entity regarding an account;
- 9
10 9. The factual basis for Midland Funding, LLC's Answer to Plaintiff's
11 Complaint;
- 12
13 10. Any and all other information related to Midland Funding, LLC's defenses
14 contained in its Answer to Plaintiff's Complaint;
- 15
16 11. Any bona fide error defense Midland Funding, LLC may have with regard
17 to the allegations set forth in the Complaint;
- 18
19 12. The history, specific details, and resolution of any formal and informal
20 complaints, Better Business Bureau Complaints, lawsuits, regulatory
21 actions, claims, litigations, mediations, arbitrations, or other actions, legal
22 or otherwise, connected to or arising out of Midland Funding, LLC's
23 business, in the period from August 12, 2005, to the present;
- 24
25 13. The history, specific details, and resolution of any formal and informal
complaints, Better Business Bureau Complaints, lawsuits, regulatory

1 actions, claims, litigations, mediations, arbitrations, or other actions, legal
2 or otherwise, connected to or arising out of the use of affidavits of
3 Midland Credit Management employees, in the period from August 12,
4 2005, to the present;

6 14. The corporate structure of Midland Funding, LLC, including the names
7 and main offices of its officers, directors, majority shareholders, board
8 members, and managers;

10 15. Midland Funding, LLC's business operations in Minnesota;

11 16. Any and all other information related to Plaintiff's claims against Midland
12 Funding, LLC;

14 You are ordered bring the following documents with you to your deposition:

- 15 1. All collection or litigation notes related in any way to the Gray collection
16 matter;
- 18 2. All documents related in any way to Plaintiff Kelli Gray, or her alleged
19 account;
- 21 3. All attorney agreements, memorandums of understanding, or letters,
22 assignments of the debt, assignment for collection of the debt, or any other
23 document related to the Suttell right to collect any Midland Funding, LLC
24 account, from or between any person or entity including but not limited to,
25 Midland Funding, LLC, Midland Credit Management, You've Got Claims,

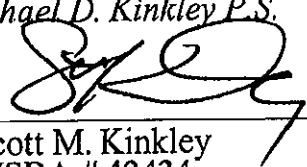
1 and any other attorney network, account broker, attorney location service
2 from August 12, 2005 to the present;

3
4 4. A list of all corporate officers, directors, board members, majority
5 shareholders, and managers;

6 5. The statute of limitations chart used to determine the statute of limitations
7 on an account.
8

9 Dated this the 23rd day of September, 2010.

10 *Michael D. Kinkley P.S.*

11 
12 _____
13 Scott M. Kinkley
14 WSBA # 42434
15 Attorney for Plaintiff
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